

18 U.S. Code § 2381 - Treason

Financial fraud / Financial Sabotage:

MALFEASANCE, NONFEASANCE:

FEDERAL JUDICIARY MISCONDUCT

1. Jurisdiction. This court meets court jurisdiction in accordance with U.S.C. § 1331 for the following reasons. The Claims arise against members of Palm Beach County Florida involved with the Women's Protection Program offered by the United States Federal Bureau of Investigation in South Florida other defendants involved in claims associated with this claim and mentioned in the Request for Legal Aid accompanying this Complaint and which includes multiple Agencies of Federal and Local Government in the United States and in Europe. Plaintiff is a dual national Citizen as well and resides outside of the United States from constant abuse from members of the caste system operating in government. Plaintiff is a involves a government agency being the Department of Justice involving Law enforcement and Judiciary misconduct under their responsibility. The complaint believed to be part of this complaint are The Trump Family with provable ties to Plaintiff John Pate and his Biological family in the Colombo Crime Family.

[PLEADING TITLE] - 2

[SOUTHERN FLORIDA DISTRICT COURT]

[MIAMI DADE]

Case No.: [NUMBER]

Plaintiff,

[PLEADING TITLE]

THE CIVIL RIGHTS ACT U.S.CODE42 SEC 1983

18 U.S. CODE § 1831 - ECONOMIC
ESPIONAGE,

18 U.S.C. § 241 Conspiracy Against Rights,

18 U.S. Code § 1589 - Forced labor; slavery;

18 U.S. Code § 1201 - Identity Theft;

18 U.S. Code § 1031 - Major fraud against the
United States;

18 U.S. Code § 371 - Conspiracy to commit
offense or to defraud United States;

18 U.S. Code § 2340 Intentional Infliction Of
Severe Emotional distress;

1 Plaintiff also lives in Berkeley California and other interlinked court actions that
2 wer abandoned which need to be appealed in the state of Florida.
3 2 VENUE. Plaintiff believes this is the proper venue due to it being the location
4 where many of the Organized Crime figures and Government agents live whom are
5 behind these horrible acts.
6 3. INTRADITION ASSIGNMENT. Plaintiff believes this is a proper location
7 due to th eproximity of respondents and believes Palm Beach county where many
8 of these people live is too dangerous for him being homeless and sleeping on th
9 streets. It is in the state of Florida which is very hard for someone who would be w
10 and Miami makes it easier to fly to being homeless and sleeping on th
11 expensive flights and difficulty with the trains from being handicapped physically.

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Paragraph 6
Plaintiff will be forced to represent himself Pro Se due to having no
money and a repeatedly ineffective Bar association and system.

Paragraph 7
Plaintiffs first interactions with members of the department of justice was around
the age of 5 when plaintiffs grandfathers friends Ronald Reagan and George bush
senior would visit my grandfather at his events venue and catering hall in new york
[PLEADING TITLE] - 3

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John
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Case:

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Federal Fraud Enforcement Task Force Server Not Powerd
Internal Washington
National Security Division
950 Pennsylvania Ave NW
Organized Crime Drug ext
OFFICE OF PROSECUTOR

2002 was attacked in Berkeley Public Library while researching ~~how to get~~ ~~and~~ ~~Internet software~~ case with Rate Development, Attacked by library worker (city dismissed case)

by Library was illegally denied physical Disability Pte
by ~~State Department~~ due to Robert Pte
+ John R Pate connections with the Witness Protect
FBI they sell drugs for in Miami + New York at
lawbreaking

Victim of embezzlement a \$100,000 +
Theresa Deauza Jeanne Mortivico +
Mortive Pate, where cash from
M^y inheritance was used for a home
purchase for Mortive Pate.

200008 ~~was~~ Quilt Financial tactics were used on
ing me again to keep me ~~one~~ Poor + try
to force me to do crime for the Colombo
crime family (American Indian Game)
Robert A. Pate John R. Pate Joe Covell
Joe Tranchesi ~~the~~ Trish + David + Covello

2020 Facebook was locked out for 10 seasons
Tried to request a new password 20 times
also tried opening 5 different accounts
all accounts were closed immediately with different info
I have not been able to contact anyone
I know for help
Hollywood police

merrick B Garland
2010
present
Business
Frustr
Hostage
situation
Lix

2010 FBI keeps shutting down Hawk Biometric Stock Fraud case because their informants Report A Pattern John R. Pate are involved

Don Reports
FBI By teletype
T.M.R. 1A & M's
Service 1A

April 29th hearing Santa Cruz
Berkeley Police Misconduct Hearing 24 count 2
Tequesta False Arrest 11

Subject: Activity in Case 9:24-cv-80329-RLR Pate v. Department of Justice Order on Motion for Leave to Proceed in forma pauperis

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U.S. District Court
Southern District of Florida

Notice of Electronic Filing

The following transaction was entered on 4/2/2024 2:29 PM EDT and filed on 4/2/2024

Case Name: Pate v. Department of Justice

Case Number: 9:24-cv-80329-RLR

Filer:

Document Number: 5

5(No document attached)

Docket Text:

PAPERLESS ORDER denying without prejudice
[3] Motion for Leave to Proceed in forma pauperis for the Plaintiff to fully complete the form for in forma pauperis status and to answer each question. The Plaintiff's amended motion is due by April 19, 2024. In the event the Plaintiff does not comply with this Order, the Court may dismiss the Complaint without prejudice for lack of prosecution and/or failure to pay the requisite filing fee. Signed by Judge Robin L. Rosenberg
(bkd)

3x

2017 Report Email invasion to ~~2000~~ + Paris 14th + Consulate
2018 Barcelona Multiple attacks after testify against Hawk Shack
~~2019~~ Reported to Guardia de Urbane + Mosses de Segura

~~2019~~ Marseille police about harassment from a

"Family" Member

2020 Marseille police reported ~~attacked~~ ~~assault~~ assault
by men Filming me during Fight + Telling me to go home to
my sexually abused sister

2021 told by West Alim Beach Police Officer I
had to return to USA to file charges

2021 Returned to USA to file charges + ~~would not~~
Police in Berkeley California would not ~~contact~~ ~~contact~~ police

Investigate Incidents would not contact French Police
+ refused to let me speak to Superior Officer

2022 attacked in Paris Jihadist attack on Feb 22nd
Blvd Son Michele @ night in front of

Halal Shop by patrons ~~in~~ Halal shop

2022 ~~Be~~ My one drive was broken into and
two of my products im bringing to market

had all Intellectual property removed from it

1) Noise making ~~at~~ time for electronic vehicles

2) UVC Sterilization unit for mounting on doors
above push plates + Door handles

2022 My wallet was stolen while I slept in Milano

2022 My Backpack was Stolen with my laptop
Bank statements, Birth Certificate, Copies of my ID

My Paper Records from The United States
Patent + trade office. ~~has~~ Records of
police reports to France

2022 Judge Te of Northern California dictated Courts
illegally dismissed case + ~~play~~ file rate

Their initial Motion
which involved members

Consulate will not let me
Re-enter USA
For & want
for x0 return

which is illegal
multiple times
withholding
my passport
Excommunicated
Hawke

U.S. District Court - Southern District of Florida

John Pate
3126 Shattuck Ave
Berkeley, CA 94705

Case: 9:24-cv-80329-RLR #2
2 pages
03/19/2024

IMPORTANT: REDACTION REQUIREMENTS AND PRIVACY POLICY

Note: This is NOT a request for information.

Do NOT include personal identifiers in documents filed with the Court, unless specifically permitted by the rules or court order. If you MUST include personal identifiers, ONLY include the limited information noted below:

- Taxpayer ID number: last four digits only
- Financial Account Numbers: last four digits only
- Date of Birth: year only
- Minor's name: initials only
- Home Address: city and state only (for criminal cases only).

Attorneys and parties are responsible for redacting (removing) personal identifiers from filings. The Clerk's office does not check filings for personal information. Any personal information included in filings will be accessible to the public over the internet via PACER.

For additional information, refer to Fed. R. Civ. P. 5.2 and Fed. R. Crim. P. 49.1. Also see the CM/ECF Administrative Procedures located on the Court's website www.flsd.uscourts.gov.

IMPORTANT: REQUIREMENT TO MAINTAIN CURRENT MAILING ADDRESS AND CONTACT INFORMATION

Pursuant to Administrative Order 2005-38, parties appearing pro se and counsel appearing pro hac vice must file, in each pending case, a notice of change of mailing address or contact information whenever such a change occurs. If court notices sent via the U.S. mail are returned as undeliverable TWICE in a case, notices will no longer be sent to that party until a current mailing address is provided.

IMPORTANT: ADDITIONAL TIME TO RESPOND FOR NON-ELECTRONIC SERVICE

Additional days to respond may be available to parties serviced by non-electronic means. See Fed. R. Civ. P. 6(d), Fed. R. Crim. P. 45(c) and Local Rule 7.1(c)(1)(A). Parties are advised that the response deadlines automatically calculated in CM/ECF do NOT account for and may NOT be accurate when service is by mail. Parties may NOT rely on response times calculated in CM/ECF, which are only a general guide, and must calculate response deadlines themselves.

See reverse side

April 29th hearing Santa Cruz

Subject: Activity in Case 9:24-cv-80329-RLR Pate v. Department of Justice Letter
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U.S. District Court
Southern District of Florida

Notice of Electronic Filing
The following transaction was entered on 4/17/2024 7:11 AM EDT and filed on 4/16/2024

Case Name: Pate v. Department of Justice
Case Number: 9:24-cv-80329-RLR

Filer:

Document Number: 9

Docket Text:

Letter to the Court from John Pate (lcp)

9:24-cv-80329-RLR Notice has been electronically mailed to:

9:24-cv-80329-RLR Notice has not been delivered electronically to those listed below and will be provided by other means. For further assistance, please contact our Help Desk at 1-888-318-2260.
John Pate
3126 Shattuck Ave
Berkeley, CA 94705

U.S. District Court - Southern District of Florida

John Pate
3126 Shattuck Ave
Berkeley, CA 94705

Case: 9:24-cv-80329-RLR #8 6 pages

04/17/2024

IMPORTANT: REDACTION REQUIREMENTS AND PRIVACY POLICY

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See reverse side

April 29th hearing Santa Cruz
Berkeley Police Misconduct Hearing
Tequesta False Arrest II Hearing

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U.S. District Court
Southern District of Florida

Notice of Electronic Filing
The following transaction was entered on 4/2/2024 2:29 PM EDT and filed on 4/2/2024

Case Name: Pate v. Department of Justice

Case Number: 9:24-cv-80329-RLR

Filer:

Document Number: 5

5(No document attached)

Docket Text:
PAPERLESS ORDER denying without prejudice [3] Motion for Leave to Proceed in forma pauperis for the Plaintiff to fully complete the form for in forma pauperis status and to answer each question. The Plaintiff's amended motion is due by April 19, 2024. In the event the Plaintiff does not comply with this Order, the Court may dismiss the Complaint without prejudice for lack of prosecution and/or failure to pay the requisite filing fee. Signed by Judge Robin L. Rosenberg (bkd)

John Pate
3126 Shattuck Ave
Berkeley, CA 94705

Case: 9:24-cv-80329-RLR #8 6 pages

04/17/2024

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ADDRESS AND CONTACT INFORMATION

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electronic copy of all documents filed electronically. If receipt is requested by law or
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U.S. DEPARTMENT OF JUSTICE

Case Number: 07-26

23.

100-1000

Docket # _____
Letter to the Court from John Pace (cgs)

9:24-cv-80329-PJ: Notice has been electronically mailed to:

9:24-cv-80329-RLR Notice has not been delivered electronically to those listed below and will be provided by other means. For further assistance, please contact our Help Desk at 1-888-318-1260. ;
John Pate

John Pate
3126 Shattuck Ave
Berkeley, CA 94705

April 29th 10:00 AM Sent via Email

Subject: Activity in Case 9:24-cv-80329-RLR Pate v. Department of Justice

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U.S. District Court
Southern District of Florida

Notice of Electronic Filing
The following transaction was entered on 3/19/2024 2:57 PM EDT and filed on 3/19/2024

Case Name: Pate v. Department of Justice
Case Number: 9:24-cv-80329-RLR

Filer:

Document Number: 2

2 (No document attached)

Docket Text:
Clerks Notice of Judge Assignment to Judge Robin L. Rosenberg and Magistrate Judge Bruce E. Reinhart. <p> Pursuant to 28 USC 636(c), the parties are hereby notified that the U.S. Magistrate Judge Bruce E. Reinhart is available to handle any or all proceedings in this case. If agreed, parties should complete and file the Consent form found on our website. It is not necessary to file a document indicating lack of consent. <p> Pro se (NON-PRISONER) litigants may receive Notices of Electronic Filings (NEFS) via email after filing a Consent by Pro Se Litigant (NON-PRISONER) to Receive Notices of Electronic Filing. The consent form is available under the forms section of our website. (drz)

D.C.
6 2024
U.S. DIST. CT.
SOUTHERN DISTRICT OF FLORIDA

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Subject:Activity in Case 9:24-cv-80329-RLR Document # 8 of 4
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NOTE TO PUBLIC ACCESS USERS Judicial conference of the un
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charges, download a copy of each document during this first vi
document is a transcript, the free copy and 30 page limit do n

U.S. District Court
Southern District of Florida
Notice of Electronic Filing
The following transaction was entered on 3/19/2024 2:57 PM EDT
on 3/19/2024


Case Name: Pate v. Department of Justice
Case Number: 9:24-cv-80329-RLR

Filer:

Document Number: 2

(No document attached)

Docket Text:
Clerks Notice of Judge Assignment to
Judge Robin L. Rosenberg and Magistrate Judge Bruce E. R
Judge Bruce E. Reinhart is available to handle any or al
this case. If agreed, parties should complete and file
found on our website. It is not necessary to file a doc
of consent. <p>Pro se (NON-PRISONER) litigants may rece
filings (NEFS) via email after filing a Consent by Pro
to Receive Notices of Electronic Filing. The consent f
the forms section of our website. (drz)

FILED BY  D.C.
APR 16 2024
ANGELA E. NOBLE
CLERK U.S. DIST. CT.
S.D. OF FLA. - MIAMI

Case No. 9:24-cv-80329-RLR
LETTER TO JUDGE
Robin L. Rosenberg, presiding.
Bruce E. Reinhart, referral.

1) JOHN PATE (Prose)
2) 3126 Shattuck Ave
3) Berkeley Ca, 94705
4) Telephone: (510)776 0160
5) johnp.pate@twinot
ta.com
JOHN PATE
Plaintiff.
The United States Department of Justice
Respondents.

Honorable Judges Rosenberg and Reinhart,
1) I Plaintiff John Pate am currently out of the country. I apologize for having to mail in my
response. I had to return to Europe to follow up on my patents I have with the Slovenian pate
office. I am now in Iceland dealing with the department of State again trying to get a way be
into the United States. I have ongoing issues with this branch of government not issuing me a
full passport and have paid for about ten temporary passports in the past ten years. In the year
2022 they held me hostage after a jihadist attack I suffered in Paris France in 2022 which a
complaint I filed with the Office of the Inspector General and the Department for State as we
as the Department Of Justice on October 24th 2022 , have been completely ignored by the
Federal government.
2) I filed a court action in Miami's Federal court on March 19th 2024 against the D.O.J. who
had the same request for legal aid you received mentioning over and over again crimes being
committed on me by members of the Colombo Crime Family and other Caste system Indies
origin and Eurasian groups Stealing inventions and harassment and committing occult crimes
on me including gang stalking, harassment, theft and other occult based crimes. My biologic
family who were using occult tactics on me before I was forced to flee the State of Florida at

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 24-CV-80329-ROSENBERG

JOHN PATE,

Plaintiff,

v.

DEPARTMENT OF JUSTICE,

Defendant.

ORDER GRANTING MOTION FOR LEAVE TO
PROCEED IN FORMA PAUPERIS AND DISMISSING COMPLAINT

THIS CAUSE is before the Court upon Plaintiff John Pate's Motion for Leave to Proceed
in forma pauperis at docket entry 7.

I. Order Granting Leave to Proceed *In Forma Pauperis*

A district court may authorize the commencement of a civil action without prepayment of fees or the giving of security if the potential plaintiff has filed an affidavit indicating that he or she is unable to pay such fees or give such security. *See* 28 U.S.C. § 1915(a)(1). A court has "wide discretion" in determining whether to grant or deny a motion pursuant to § 1915(a). *See Martinez v. Kristi Kleaners, Inc.*, 364 F.3d 1305, 1306 (11th Cir. 2004) (per curiam) (quoting *Flowers v. Turbine Support Div.* 507 F.2d 1040, 1041).

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Dismissing/Closing Case

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U.S. District Court
Southern District of Florida

Notice of Electronic Filing

The following transaction was entered on 5/24/2024 10:31 AM EDT and filed on 5/24/2024

Case Name: Pate v. Department of Justice

Case Number: 9:24-cv-80329-RLR

Filer:

WARNING: CASE CLOSED on 05/24/2024

Document Number: 9

Docket Text:

ORDER GRANTING MOTION FOR LEAVE TO PROCEED
IN FORMA PAUPERIS AND DISMISSING COMPLAINT Closing Case. Signed by Judge
Robin L. Rosenberg on 5/24/2024. <I>See attached document for full details.</I>
(cqs)

9:24-cv-80329-RLR Notice has been electronically mailed to:

9:24-cv-80329-RLR Notice has not been delivered electronically to those listed
below and will be provided by other means. For further assistance, please
contact our Help Desk at 1-888-318-2260.:
John Pate
3126 Shattuck Ave
Berkeley, CA 94705

Case: 9:24-cv-00329-RLK Document #: 6 Entered on FLSD Docket 04/11/2024 Page 3
 Innovations that are not making any money for Americans nor taxable income or trade tax.
 Besides the untaxed drug and other illegal monies this group in the mafia and government has been profiting from and not reporting.
 6) I should be reintroduced to the USA soon although it is very dangerous there for me, especially south Florida where tons of these Witness Protection Program Drug Dealers are located. None of my electronics work correctly and the pleading numbers will not come out correctly either. It is not easy when all my Informa pourports electronics are hacked.

Case No. 9:24-cv-80329-RLK
 LETTER TO JUDGE
 Robin L. Rosenberg, presiding, Bruce E. Reinhardt, referee

Dated: April 10, 2024

JOHN PATE (PRO SE)
 3126 SHATTUCK AVE
 BERKELEY CALIFORNIA
 94705
 John.P.Electronics@TulaNova.Com
 (510)776-0160

By: 

Case: 9:24-cv-00329-RLK Document #: 6 Entered on FLSD Docket 04/11/2024 Page 2
 trying too have me commit crimes off the Colombo Crime Family and whom are currently protected by the FBI's witness protection program and their foreign occult bosses (Masonic society, Scientists and Lions) all answering to foreign "royalties" in Europe and globally I've also mentioned some of the other "elists" I know personally from Paolo Alto, Beverly Hills and New York City. The occulting crime on me, all of which know me personally and who I have had interactions with on social and business levels.
 3) With my law court cases being abandoned from time due to being held hostage in Brussels Belgium by the court system refusing to issue me a travel pass back into the United States to appeal an illegal verdict of a court action by a Judge Tse in the Northern California Federal Court where I pointed out 5 counts of Purgery by defendants of
 Page 2 of 2
 are mentioned in the Colombo Crime Family whom claim to be European but are all Indies and European nations to avoid genocide charges on Americans and other free societies. My case against the Tequesta Florida Police for colluding with the Colombo family and a false arrest because I would not commit crimes for the Colombo Crime Family and sexually obsessed biological father Robert A Pate of the Colombo Crime Family and Mar-A-Lago club on Palm Beach Island. So I was arrested and put in gun club where a law, my biological father retained "for me" tied getting me 2 years in drug farm for drinking in my home in Tequesta Florida.
 4) I submit with this letter the fully filled out In Forma Pourports and do apologize for the sloppy paperwork. I am slightly dislexic and I only have only a 7th grade education from terrible actions by my biological family before during and since the Colombo war which they started) in 1991. I am what most would consider a genius but have never been allowed to attend school by members of the caste system in my biological family and the United States Government.
 5) Some of the technologies being stolen from me for instance are piezoelectric gels and liquids along with piezoelectric circuitry (liquid circuitry) which depend heavily on Kurchov law, Coulombs law, and Lenz's laws and greatly reduce the use of heavy chemicals and sourcing of toxic and harmful elements too provide the proper field effects for operation of electrical loads. Its a circuitry system where most parts are connected directly to the energy source (energy source= piezoelectric materials) This entire industry has been stolen and kept from Americans along with tons of other industry redefining and reshaping that this CED recipient thought up and created. Plus over 200 other inventions, improvements and

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 24-CV-80329-ROSENBERG

JOHN PATE,

Plaintiff,

v.

DEPARTMENT OF JUSTICE,

Defendant.

**ORDER GRANTING MOTION FOR LEAVE TO
PROCEED IN FORMA PAUPERIS AND DISMISSING COMPLAINT**

THIS CAUSE is before the Court upon Plaintiff John Pate's Motion for Leave to Proceed in forma pauperis at docket entry 7.

I. Order Granting Leave to Proceed In Forma Pauperis

A district court may authorize the commencement of a civil action without prepayment of fees or the giving of security if the potential plaintiff has filed an affidavit indicating that he or she is unable to pay such fees or give such security. See 28 U.S.C. § 1915(a)(1). A court has "wide discretion" in determining whether to grant or deny a motion pursuant to § 1915(a). See *Martinez v. Kristi Kleaners, Inc.*, 364 F.3d 1305, 1306 (11th Cir. 2004) (per curiam) (quoting *Flowers v. Turbine Support Div.*, 507 F.2d 1242, 1244 (5th Cir. 1975)). The statute "is designed to ensure that indigent litigants have meaningful access to the federal courts." *Neitzke v. Williams*, 490 U.S. 319, 324 (1989). As the Fifth Circuit explained, "Under Subsection (a), the commencement or filing of the suit depends solely on whether the affiant is economically eligible. The only determination to be made by the court under § 1915(a), therefore, is whether the statements in the affidavit satisfy the requirements of poverty." *Watson v. Ault*, 525 F.2d 886, 891 (5th Cir. 1976).

Subject: Activity in Case 9:24-cv-80329-RLR Pate v. Department of Justice Order Dismissing/Closing Case
This is an automatic e-mail message generated by the CM/ECF system.
Please DO NOT RESPOND to this e-mail because the mail box is unattended.
NOTE TO PUBLIC ACCESS USERS Judicial Conference of the United States policy attorneys of record and parties in a case (including pro se litigants) to receive free electronic copy of all documents filed electronically, if receipt is required by the filer. PACER access fees apply to all other users. To avoid late charges, download a copy of each document during this first viewing. However, if document is a transcript, the free copy and 30 page limit do not apply.

U.S. District Court
Southern District of Florida

Notice of Electronic Filing
The following document was entered on 5/24/2024 10:31 AM EDT and filed on 5/24/2024

Case Name: Department of Justice
Case Number: 9:24-cv-80329-RLR

Filer:

WARNING: CASE CLOSED on 05/24/2024
Document Number: 9

Docket Text:
ORDER GRANTING MOTION FOR LEAVE TO PROCEED
IN FORMA PAUPERIS AND DISMISSING COMPLAINT Closing Case. Signed by Judge Robin L. Rosenberg on 5/24/2024. <I>See attached document for full details.</I>

9:24-cv-80329-RLR Notice has been electronically mailed to:

9:24-cv-80329-RLR Notice has not been delivered electronically to those listed below and will be provided by other means. For further assistance, please contact our Help Desk at 1-888-318-2260.:
John Pate
3126 Shattuck Ave
Berkeley, CA 94705

Subject:Activity in Case 9:24-cv-80327-AMC Pate v. Department of State Order Dismissing Case as Frivolous
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U.S. District Court
Southern District of Florida

Notice of Electronic Filing
The following transaction was entered on 3/22/2024 @ 11 AM EDT and filed on 3/22/2024

Case Name: Pate v. Department of State

Case Number: 9:24-cv-80327-AMC

Filer:

WARNING: CASE CLOSED on 03/22/2024

Document Number: 5

Docket Text:
ORDER DISMISSING COMPLAINT AS FRIVOLOUS.
Closing Case. Signed by Judge Aileen M. Cannon on 3/21/2024. <I>See attached document for full details.</I> (mee)

9:24-cv-80327-AMC Notice has been electronically mailed to:

9:24-cv-80327-AMC Notice has not been delivered electronically to those listed below and will be provided by other means. For further assistance, please contact our Help Desk at 1-888-318-2260.:
John Pate
3126 Shattuck Ave
Berkeley, CA 94705

Accordingly, it is **ORDERED AND ADJUDGED** as follows:

1. Plaintiff's Complaint [ECF No. 1] is **DISMISSED WITHOUT PREJUDICE**, without leave to amend in this action.
2. The Clerk **SHALL CLOSE** this case.
3. Plaintiff's Motion to proceed *in forma pauperis* [ECF No. 3] is **DENIED AS MOOT**.
4. The Clerk is directed to **MAIL** a copy of this Order to Plaintiff at the address listed below.

DONE AND ORDERED at Miami, Florida, this 21st day of March 2024.


AILEEN CANNON
UNITED STATES DISTRICT JUDGE

cc: John Pate
3126 Shattuck Avenue
Berkeley, California 94705
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(11th Cir. 2007) (citing to *Jefferson County v. Howell*, 466 U.S. 29, 524, 527 (11th Cir. 1983)). There is an exception to the general rule against dismissals without notice when the complaint is plainly frivolous or if amendment would be futile. *Traxo v. Airbus S.A.S.*, 631 F.3d 1321, 1336 (11th Cir. 2011). “A complaint is ‘frivolous’ where ‘it lacks an arguable basis either in law or fact.’” *Biald v. Priyer*, 251 F.3d 1346, 1349 (11th Cir. 2001). Although *pro se* pleadings are held to a less stringent standard than those drafted by attorneys and thus are liberally construed, federal construction does not give “a court license to serve as de facto counsel for a party, or to rewrite an otherwise deficient pleading in order to sustain an action.” *Campbell v. Air Jamaica Ltd.*, 760 F.3d 1165, 1168–69 (11th Cir. 2014).

DISCUSSION

Plaintiffs' Complaint, which consists of sixteen pages of scattered excerpts from provisions of law and allegations that terrorist attacks across Europe were covered up by the U.S. government, warrants dismissal as patently frivolous. Plaintiff is Defendant Department of State for allegedly working in concert with the "Trump Family," the "Colombia Crime Family," the "Jewish Mafia," and "Los Angeles Socialists" to destroy Plaintiff's business and cover up the aforementioned terrorist attacks [ECF No. 1]. Plaintiff requests compensatory damages of \$50 billion for the destruction of his business and having "never had one day on this earth that was worth living and always surrounded by Jews and other Indians" [ECF No. 1 pp. 14-15]. On its face, Plaintiff's Complaint lacks any arguable basis in law or fact and therefore warrants dismissal under the Court's inherent authority to dismiss a complaint sua sponte if the allegations are frivolous.

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John P.
3126 Shattuck Avenue
Berkeley, California 94705
PRO SB

ALLEN CANNON
UNITED STATES DISTRICT JUDGE

The Clerk SHALL

without leave to attend in this act.

plaintiffs Complaint, ECF No. 11 IS DISMISSED WITHOUT PREJUDICE.

Order to Plaintiff at the address above.

Florida, this 21st day of March

of 3
CASE NO 24-80327-CIV-CANNON

(11th Cir. 2007) (citing to *Jefferson Fourteenth Assocs. V. Wometco de P.R., Inc.*, 695 F.2d 524, 527 (11th Cir. 1983)). There is an exception to the general rule against dismissals without notice when the complaint is patently frivolous or if amendment would be futile. *Tazoe v. Airbus S.A.S.*, 631 F.3d 1321, 1336 (11th Cir. 2011). A complaint is "frivolous" where "it lacks an arguable basis either in law or fact." *Bilal v. Driver*, 251 F.3d 1346, 1349 (11th Cir. 2001). Although *pro se* pleadings are held to a less stringent standard than those drafted by attorneys and thus are liberally construed, liberal construction does not give "a court license to serve as de facto counsel for a party, or to rewrite an otherwise deficient pleading in order to sustain an action." *Campbell v. Air Jamaica Ltd.*, 760 F.3d 1165, 1168-69 (11th Cir. 2014).

DISCUSSION

Plaintiff's Complaint, which consists of sixteen pages of scattershot excerpts from provisions of law and allegations that terrorist attacks across Europe were covered up by the U.S. government, warrants dismissal as patently frivolous. Plaintiff sues Defendant Department of State for allegedly working in concert with the "Trump Family," the "Colombo Crime Family," the "Jewish Mafia," and "Los Angeles Socialites" to destroy Plaintiff's business and cover up the aforementioned terrorist attacks [ECF No. 1]. Plaintiff requests compensatory damages of \$50 billion for the destruction of his business and having "never had one day on this earth that was worth living and always surrounded by Jews and other Indians" [ECF No. 1 pp. 14-15]. On its face, Plaintiff's Complaint lacks any arguable basis in law or fact and therefore warrants dismissal under the Court's inherent authority to dismiss a complaint *sua sponte* if the allegations are frivolous.

Accordingly, it is ORDERED AND ADJUDGED as follows:

1. Plaintiff's Complaint [ECF No. 1] is DISMISSED without leave to amend in this action.
2. The Clerk SHALL CLOSE this case.
3. Plaintiff's Motion to proceed *in forma pauperis* [ECF No. 2] is DENIED.
4. The Clerk is directed to MAIL a copy of this Order to Plaintiff.

DONE AND ORDERED in Chambers at Fort Pierce, Florida, this 22nd day of March, 2025.


AILEEN
UNITED STATES

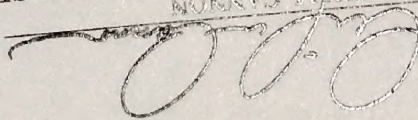
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3126 Shattuck Avenue
Berkeley, California 94705
PRO SE

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Accordingly, it is ORDERED AND ADJUDGED as follows:

1. Plaintiff's Complaint [ECF No. 1] is DISMISSED WITHOUT PREJUDICE, without leave to amend in this action.
2. The Clerk SHALL CLOSE this case.
3. Plaintiff's Motion to proceed *in forma pauperis* [ECF No. 3] is DENIED AS MOOT.
4. The Clerk is directed to MAIL a copy of this Order to Plaintiff at the address listed below.

DONE AND ORDERED in Chambers at Fort Pierce, Florida, this 21st day of March 2024.


ALLENE CANNON
UNITED STATES DISTRICT JUDGE

cc: John Pate
3126 Shattuck Avenue
Berkeley, California 94705
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH DIVISION

CASE NO. 24-80327-CIV-CANNON

JOHN PATE,

Plaintiffs,

v.

DEPARTMENT OF STATE,

Defendant.

ORDER DISMISSING COMPLAINT AS FRIVOLOUS

THIS CAUSE comes before the Court on the Plaintiff's Motion for a spontaneous review of Plaintiff's Complaint

FILED 11 and the accompanying Motion for a spontaneous review of Plaintiff's Complaint [ECF No. 3]. For the

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH DIVISION

CASE NO. 24-80327-CIV-CANNON

JOHN PATE,

Plaintiffs,

v.

DEPARTMENT OF STATE,

Defendant.

ORDER DISMISSING COMPLAINT AS FRIVOLOUS

THIS CAUSE comes before the Court upon a sua sponte review of Plaintiff's Complaint [ECF No. 1], and the accompanying Motion to proceed *in forma pauperis* [ECF No. 3]. For the reasons below, the Complaint is **DISMISSED WITHOUT PREJUDICE BUT WITHOUT LEAVE TO AMEND**, and the Clerk is **DIRECTED TO CLOSE** this case.

LEGAL STANDARDS

A district court possesses "the power to control and direct the cases on its docket," including "the inherent power to dismiss a case." *Burden v. Yates*, 644 F.2d 503, 505 (5th Cir. Unit B 1981).¹ The Eleventh Circuit has prohibited the sua sponte dismissal of a case where "1) the defendant had not filed an answer and the plaintiff still had a right to amend his complaint pursuant to Rule 15(a) of the Federal Rules of Civil Procedure; 2) the plaintiff brought his claim in good faith; and 3) the district court failed to provide the plaintiff with notice of its intent to dismiss or an opportunity to respond." *Am. United Life Ins. Co. v. Martinez*, 480 F.3d 1043, 1057

¹ Decisions rendered by a Unit B panel of the former Fifth Circuit are circuit precedent in the Eleventh Circuit. *Stein v. Reynolds Sec. Inc.*, 667 F.2d 33, 34 (11th Cir. 1982).

For the Court's use
Efiled
L. H. Cannon